

PLANNING BOARD MEETING

Minutes, October 21, 2003

Members present: Joseph Barrell, Karl Haglund, James Heigham, Deborah Emello, Andrew McClurg,

Also present: Tim Higgins, Senior Planner
Jeffrey Wheeler, Planning Coordinator

7:00 p.m.: There being a quorum, Chairman Joseph Barrell opened the meeting.

1. General Business:

1. The following minutes were approved: -
 - a. Regular session of September 30th
 - b. Executive Session of September 30th

2. Economic Development Plan

a. Corridor Study

Ken Buckland from the Cecil group made his final presentation to the Planning Board. He gave a review of the E0418 project components and how the Town of Belmont has completed them. He highlighted some of the 35 recommendations and provided an overview of the segmentation of the corridor.

Questions from the Planning Board

Andy McClurg questioned whether or not the Planning Board needs to formally adopt the study. He pointed out that the document needs some more proofreading and some clarity. More specifically, the Mission Statement and the streetscape description in the transition zone need additional work.

James Heigham questioned whether or not the entire town needs to approve the Plan. He requested that the Board vote to “accept” the Plan, not approve or adopt it.

Ken Buckland stated that the Town approves the Plan by signing the invoice for payment of work. This action, however, reflects the fact that the consultant has completed the work, not that the Town has adopted the Plan. He also stated that it is important to re-examine the mission statement to guide the implementation and set priorities for the recommendations. He asked that any final comments be developed over the next few weeks so the plan can be finalized and distributed. This was agreed to.

Questions from the Audience

Adam Tocci, from the Belmont Car Wash and Waverley Landscaping, questioned why the Corridor Study recommends that office space not be allowed on the first floor. He also asked for information on the development of the MBTA air rights.

Ken Buckland responded that retail sales and services create vitality while office uses typically do not. Offices do not create pedestrian traffic. Ken mentioned, however, that it depends on what type of offices, i.e. medical offices have a lot of traffic. Ken stated that the Cecil Group has been retained to conduct a cost estimate and a feasibility assessment of the potential development of the MBTA air rights.

b. Roadway Design Workshop

Andrew McClurg reviewed the Roadway Design workshops. The first meeting was held for the segment between School Street and Gilbert Street. Approximately 15 people attended. There was consensus that things could be done to improve the roadway. A plan was presented showing a median strip in Trapelo Road for example. This was discussed and the impacts examined. It became apparent at these meetings that traffic data needs to be gathered.

Several concerns were raised that need to be addressed in all of the proposed designs:

1. Parking
2. Impacts on side streets
3. Emergency access impacts
4. Traffic operations – keep vehicles moving

Andy felt that this meeting was a good beginning for what the Planning Board needs to know. He expressed optimism that at the conclusion of the workshops a report can be written on what has been learned and a conceptual plan drafted. The Planning Board can forward this plan to the Board of Selectmen and Town Meeting.

Discussion then focused on why Concord Avenue works with a median and why it might be difficult to install one in Trapelo Road.

3. 8:00 p.m. Public Hearing on proposed Zoning Amendments

James Heigham read the public hearing notice.

Jeffrey Wheeler presented an overview of the proposed zoning amendments. He indicated that these amendments derived from the corridor study and that others are “house keeping” amendments.

Questions from Audience

1. Sue Bass expressed concern with the loss of landmark buildings if the front yard setback is eliminated. She feared that this would be an incentive to tear down these structures.

Karl Haglund responded that it depends on what the goal is and if Historic Preservation is then the Historic District Commission needs to take the lead on this issue. Joe Barrell added that this proposal creates a set of principles that do not now exist.

2. Jeanne Mooney raised questions on bathrooms requirements for restaurants.

James Heigham stated that this is a building code issue and not part of the Zoning By-Law.

3. Carolyn Bishop expressed concerns about the lack of landscaping if front yard setbacks are eliminated.

Tim Higgins stated that this is only piece of the overall puzzle and that it is the Town's responsibility to create public improvements. Andy McClurg pointed out that simply setting a building back does not mean you are going to have a nice looking building and/or landscaping.

4. Several audience members expressed concern about transition zones such as the LBIII District east of Cushing Square. The audience and Planning Board expressed a desire to have this area look like a two-family area even though it is used (and will be) for offices.

5. Discussion occurred on restaurants and non-confirming uses. James Heigham mentioned that any expansion of an existing restaurant would require a Special Permit. Since there was no more questions, the Planning Board deliberated on its recommendations on the proposed Zoning Amendments.

Deborah Emello wanted to make sure that the new restaurant definitions and users prohibit drive-up windows. This was agreed to.

The Planning Board unanimously voted (5:0) to recommend as amended the proposed Zoning Amendments to the Special Fall Town Meeting. Amendments to include:

1. Do not include elimination of front yard setbacks
2. Prohibit drive-up windows

Public Hearing Adjourned.

4. 8:45 p.m. Public Hearing on the Belmont Uplands Zoning Amendment to Allow Multi-Family Residential Development

James Heigham read the public hearing notice.

Attorney Jim Ward, representing O'Neill Properties, opened the discussion by providing those present with the most recent copies of the revised Belmont Upland By-Law. He noted that the 5 acre minimum requirements for elderly housing is a state standard that had been reduced from 20 acres to promote housing in more dense areas. It began in the 1960's to encourage senior housing. He then discussed the proposed changes to the zoning as a result of the Board of Selectmen's meeting last week. These additions were highlighted on the documents that were distributed to the Board and the public.

Questions from the Planning Board

James Heigham asked several questions –

1. What was the status of a provision in the MOA addressing the taxing of the building.

2. What was the long-term preservation of the affordable units
3. What are the lot coverage, impervious coverage and open space requirements as noted in the 10/21 memo from Tim Higgins.

Jim Ward replied that the provision on taxing presently in the MOA would remain the same. Affordability of the units would be in perpetuity, as required by the Town's Inclusionary Housing By-Law. The lot coverage and other requirements have not yet been computed since the composition of the fire access road has not been agreed to with the Belmont Fire Department. The existing figures will remain since the new proposal, even with the fire road, is less than the allowed by the office building. Mr. O'Neill committed to pursuing the impervious road with the fire department. Ambulance access over the road was discussed.

Karl Haglund had some context changes. He also asked for an inventory of all trees on the site be required and to strengthen the language about the removal of trees (Sections.6B, 6K and 6B. 8). He requested that specific trees be marked and protected and that the Zoning By-law state that no trees are to be removed from the date of Town Meeting approval to the permitting.

Mr. O'Neill also agreed to replace the trees that are removed.

Questions from the Audience

1. Ms. Bishop supported stronger protection for trees. She also wanted to know the building footprint (115,000 s.f. +/-), asked about building height, gross floor area, wetland buffer impacts, stormwater maintenance and other environmental concerns.

2. Michael Barum questioned the long term affordability being maintained in the future. Jim Ward discussed the use of the Local Initiative Program (LIP) through DHCD to accomplish this task via a Regulatory Agreement between the parties. A deed rider will be used for each affordable unit.

3. Dix Campbell questioned the building height definition. He does not like the existing definition within the Zoning By-Law. Dix also expressed a dislike for the square footage measurement and the language concerning view sheds.

Karl Haglund wants a statement from O'Neill on the height. O'Neill will prepare a cross-section of the proposed building.

4. Walter McLaughlin stated his concern about the size of the building at 400,000 square feet. This size allows approximately 1,600 square feet per unit, which is very large. This size unit will increase the number of school children as the possibility exists for "illegal" 3 bedroom units being created in dens and studies. He strongly recommended the building area be reduced to 300,000 square feet and will propose this amendment on Town Meeting floor. He suggested that a pedestrian access over the river. This couldn't be part of this approval process as the land is owned by the MDC but it is a good idea. Children could then walk to school and be part of the community

It was noted that 15-20% of the building will be lost by halls and public areas. A limit could also be placed on unit size.

5. Mr. Mercier requested that the applicant wait for the office market to rebound. The Town does not need residential.

Mr. O'Neill noted the project should produce more dollars, less impacts and that the office market has a 10 year supply to absorb.

6. Sue Bass opposed the project for a variety of reasons. She suggested the use be allowed by Special Permit.

7. Virginia Fuller opposed the project due to its impacts on the wildlife. The site should not be developed under any circumstances.

8. Jean Mooney wanted a clarification on the open space resolution. This will wait until it is resolved with the Fire department. She also requested a preliminary design approval stage similar to McLean be added to the By-Law. Tim Higgins spoke against this proposal as it is an unnecessary step.

9. Fred Paulsen questioned the ability to count affordable units as elderly units, the impervious coverage calculations, the use of Cambridge land for open space, what is allowed on the open space and access to the open space by future residents, one parking space/dwelling unit, lighting and objectives of the review process being more discretionary.

Mr. O'Neill committed to have the affordable units be a cross section of the housing units (25% of the 25% affordable units would be for over 55 years' old people, for example). All agreed that this commitment be would be reflected in the text.

10. Darrell King expressed concerns on the density and flooding in the area. He requested that the project be environmentally sensitive.

Mr. O'Neill noted that their building site is not in the flood plan.

11. Crystal Woodland spoke about preserving the land as open space.

There being no more comments, the Planning Board voted unanimously (5-0) to continue the Public Hearing to Tuesday, November 25th at a time to be determined.

10:35 p.m. There being no further business, the meeting adjourned.